

### REMARKS

According to the Restriction Requirement 4 claims are pending in the present application; however, according to Applicants files the pending Application was filed with 5 claims as noted above. Applicants herein base their response in view of claims pending as noted above.

According to the Restriction Requirement, election of one of the following inventions is required under 35 U.S.C. §121:

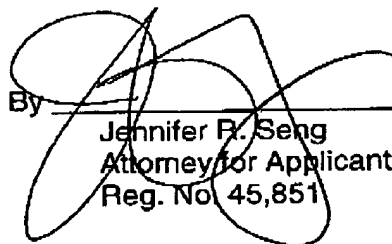
- I. Claim 1, drawn to a ZnO dispersion, and
- II. Claim 2, drawn to a process of preparing ZnO dispersions (as noted above Claim 3 is drawn to the process according to the files of the Applicant, not Claim 2).
- III. Claim 3, drawn to a molded article (as noted above Claim 4 is drawn to a molded article).
- IV. Claim 4, drawn to a coating composition (as noted above Claim 5 is drawn to a coating composition).

Applicants elect Group 2, the process Claim 3 with traverse. Applicants respectfully traverse the Restriction Requirement. Under 35 U.S.C. § 121 an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and are independent and distinct inventions. See MPEP 803. Applicants respectfully submit that if the search and examination of the entire application can be made **without serious burden**, the Examiner must examine the application on its merits, even though it includes claims to independent and distinct inventions. See MPEP 803.

The pending claims are directed to dispersion comprising zinc oxide particles in primary-particle-redispersed form having a diameter of between 1 and 200 nm, and aminoalcohols and a process for preparing such dispersions, and molded articles and coatings comprising such dispersions. Applicants respectfully submit that a single search encompassing the dispersion could be performed without unnecessary burden. Also, Applicants submit that any additional search would not entail any "serious burden" on the Examiner, as the dispersion is the essential

element to all Groups and a search of the dispersion would reveal processes for preparing dispersions and applications thereof. Accordingly, Applicants request withdrawal of the Restriction Requirement.

Respectfully submitted,

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